IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CIVIL ACTION NO: 3:16-CV-00740-DSC

IBRAHIM SORY SIDIBE,)
Plaintiff,)
v. ALDO MONZON, SANY LINES, INC., CUSTOMIZED TRUCKING SERVICES, INC., CALVIN GRADY PULLEY, WAL-MART TRANSPORTATION, LLC and FEPCO CONTAINER, INC. Defendants.)) CONSENT ORDER TO DISMISS) DEFENDANT FEPCO CONTAINER,) INC.)))

THIS CAUSE COMING ON TO BE HEARD and being heard before the Court, and upon the request of the Plaintiff and Defendants, by and through counsel, seeking a consent order dismissing certain Defendants, upon terms and conditions agreed to among the parties, and it appearing to the Court that good cause has been demonstrated;

NOW, UPON THE CONSENT AND STIPULATION OF ALL PARTIES, it is ORDERED AND ADJUDGED as follows:

- 1. Defendant FEPCO CONTAINER, INC. is voluntarily dismissed without prejudice with each party bearing their own attorney's fees and costs;
- All remaining Defendants waive any defenses claiming that Defendant FEPCO
 CONTAINER, INC. had any responsibility for the subject motor vehicle collision, the actions of Defendant Calvin Grady Pulley, or the tractor trailer operated by Defendant Calvin Grady Pulley;
- All remaining Defendants waive any defenses claiming that Defendant FEPCO
 CONTAINER, INC is a necessary or indispensable party to this action; and

4. Defendant, Wal-Mart Transportation, LLC, stipulates that at all relevant times Defendant Pulley was an employee of Wal-Mart Transportation, LLC and was operating the Wal-Mart tractor-trailer in furtherance of his employment, and that Wal-Mart Transportation, LLC owned and maintained the tractor-trailer operated by Defendant Pulley.

SO ORDERED.

Signed: May 24, 2017

David S. Cayer

United States Magistrate Judge

CONSENTED, STIPULATED AND AGREED TO:

By: /s/ David J. Ventura

David J. Ventura
Attorney for Plaintiffs
Crumley Roberts, LLP
1051 E. Morehead Street, Suite 100
Charlotte, NC 28204
Tel. (704) 567-4529
djventura@crumleyroberts.com

By: /s/ Meredith Cushing

Meredith Cushing, Mcgangus Goudelock Attorney for Defendant FEPCO CONTAINER, INC 6302 Fairview Road Ste 700 Charlotte, NC 28210-2267

Tel.: (704) 643-6303

meredith.cushing@mgclaw.com

By: /s/ Brian O. Beverly_

BOB@YMH.COM

Brian O. Beverly
Attorney for Defendants
Wal-Mart Transportation, LLC and
Calvin Grady Pulley
Young, Moore & Henderson, P.A.
3101 Glenwood Avenue
Raleigh, NC 27622
Tel.: (919) 782-6860

By: /s/ Jackson R. Price

japrice@wcsr.com

Jackson R. Price
Attorney for Defendants
Aldo Monzon, Customized Trucking
Services, Inc., Sany Lines, Inc.
Womble Carlyle Sandridge & Rice LLP
One Wells Fargo Center, Ste 3500
301 South College Street, Ste 350
Charlotte, NC 28202
Tel: (704) 331-4990